

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Northern District of New York

Jerry McKee

\_\_\_\_\_  
*Plaintiff(s)*

v.

C.O. Donald Ballard, C.O. Charles Pereira, C.O. Kyle  
Brooks, Sgt. Scott Hamel, and C.O. Jonathon Tucker

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 9:25-cv-855 AJB/DJS

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* -C.O. Kyle Brooks: c/o Cossackie Correctional Facility, 11260 Route 9W, P.O. Box  
200, Cossackie, NY 12051-0200

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Sivin, Miller & Roche LLP  
20 Vesey Street, Suite 1400  
New York, NY 10007

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*John Domene*  
Clerk of Court



Date: July 1, 2025

s/N. Steves

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*